

USSN. 09/709,581

A.U.: 1714

Examiner: TOOMER, CEPHIA D

May 20, 2003

### **Remarks**

Claims 4, 5 and 7 are cancelled and claims 1, 12 and 13 are amended. All the amendments are made without prejudice and the Applicant does not intend to abandon any subject matter present in the original application.

Cancellation Claim 2 was requested with the response to the Office Action of February 14, 2002, submitted on August 12, 2002.

With the above amendments, the claims now pending are claims 1, 3, 6, 8-13.

### **Claim Rejection – 35 USC §112**

Amended claim 1 indicates methyl esters of rapeseed and sunflower oil, as indicated in the original specification at page 8, lines 1-6.

Withdrawal of the objection is requested.

### **Claim rejection – 35 USC § 103**

Amended claim 12 indicates that the liquid fuel comprises a bio-vegetable fluid selected from the group consisting of biodiesel and methyl esters of rapeseed oil and of sunflower oil, that the emulsive agent is C12 –C13 alcohol ethoxylate and that the fuel is in microemulsion form obtained by mixing the components in a system provided with multiple reverse-flow coaxial turbines.

None of Lapain, Boehmke and Nixon discloses a fuel with the above indicated characteristics.

Thus, not only the claimed product is obtained by a method not disclosed in the opposed documents, which method allows to obtain a microemulsion with advantageous characteristics, but also the claimed product has a different composition with respect to those disclosed by Lapain, Boehmke and Nixon.

An objective pointer that would lead the one of ordinary skill to the subject matter claimed in claim 12 cannot be found in the opposed documents.

Withdrawal of the objection to claim 12 is requested as well as withdrawal of the objection to claim 13 which is dependent on claim 1 and not on claim 12.

**Claim Rejection – 35 USC § 102**

Claims 1 and 12 are limited to the case when the emulsive agent is C12-C13 alcohol ethoxylate. Haupais does not disclose a fuel in microemulsion form comprising C12-C13 alcohol etoxylates.

The method for preparing a fuel in microemulsion form as claimed in claim 11, including the step of mixing the recited components in a system provided with multiple reverse-flow coaxial turbines, is not disclosed by Haupais.

Withdrawal of the objection under USC § 102 to independent claims 1, 11 and 12 as well as of claims 3, 6, 9-10 and 13, depending therefrom, as anticipated by Haupais, is requested.

**Conclusion**

Claim 12 as amended is directed to a composition that is different and unobvious from that of the prior art.

Claim 1 as amended does no more recite cetyl stearyl alcohol and amended is directed to a composition that is different and unobvious from that of the prior art.

Claim 11 is directed to a method for preparing a fuel by mixing the components in a system provided with multiple reverse-flow coaxial turbines which is different and unobvious from those of the prior art.

Claims 1, 3, 6 and 8-13 are considered to be in an allowable condition and allowance thereof is respectfully requested.

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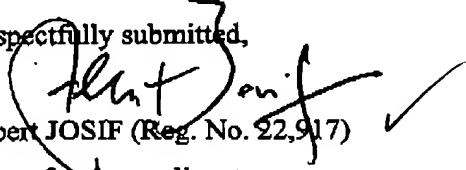
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In view of the foregoing, favorable action on the merits, including entry and approval of all amendments, reconsideration and withdrawal of each rejection and allowance of all claims is respectfully solicited.

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Respectfully submitted,

  
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